

Patent  
Attorney's Docket No. 028723-016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Joe W. GRAY et al ) Group Art Unit: 1807  
Application No.: Prior Application ) Examiner: A. Marschel  
No. 08/342,028 )  
Filed: June 7, 1995 )  
For: COMPARATIVE GENOMIC )  
HYBRIDIZATION (CGH) )

**LETTER TO EXAMINER**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants are in the process of preparing a Preliminary Amendment in the above application which will be filed when completed. If the above application is reached for examination prior to receipt of the Preliminary Amendment, please contact R. Danny Huntington at (703) 836-6620.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS

By: R. Danny Huntington  
R. Danny Huntington  
Registration No. 27,903

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: June 7, 1995

Patent  
Attorney's Docket No. 028723-016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Prior Application: 08/342,028

Examiner: A. Marschel

Art Unit: 1807

**REQUEST FORM FOR FILE WRAPPER**  
**CONTINUING APPLICATION UNDER 37 C.F.R. § 1.62**

**Box FWC**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a [X] continuation [ ] divisional application under 37 C.F.R. § 1.62 of prior Application No. 08/342,028, filed on November 16, 1994, for CHROMOSOME SPECIFIC STAINING TO DETECT GENETIC REARRANGEMENTS by the following named inventor(s):

(a) Full Name Joe W. Gray  
(b) Full Name Daniel Pinkel  
(c) Full Name Douglas Tkachuk

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.62(a), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

(a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_

The above-identified prior application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. § 1.60 may be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

1. [ ] Enter the amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116, but unentered, in the prior application.

11/16/94

Request for File Wrapper Continuing Application  
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2.  A preliminary amendment is enclosed.
3.  \_\_\_\_\_ verified statement(s) claiming small entity status  is/are enclosed  was/were filed in prior Application No. \_\_\_, filed on \_\_\_\_.
4.  The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 above:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
<b>Basic Application Fee</b>					<b>\$ 730.00</b>
Total Claims	17	MINUS 20 =	0	x \$22 =	0
Independent Claims	1	MINUS 3 =	0	x \$76 =	0
If multiple dependent claims are presented, add \$240.00					0
<b>Total Application Fee</b>					<b>0</b>
If small entity status is claimed, subtract 50% of Total Application Fee					0
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$730.00</b>

5.  Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6.  A check in the amount of \$ 730.00 is enclosed for the fee due.
7. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.
8.  Amend the specification by inserting before the first line the sentence: --This application is a [X] continuation,  divisional, of Application No. 08/342,028, filed November 16, 1994. --
9.  Priority of Application No. \_\_\_, filed on \_\_\_, in \_\_ (country) is claimed under 35 U.S.C. § 119.
  - The certified copy of the priority application
  - is enclosed
  - was filed on \_\_ in prior Application No. \_\_; filed on \_\_
  - has not yet been filed.
10.  The prior application is assigned of record to The Regents of the University of California.

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11.  Also enclosed is a Letter to Examiner.
12.  The power of attorney in the prior application is to R. Danny Huntington, Reg. No. 27, 903.
  - a.  The power appears in the original papers in the prior application.
  - b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c.  Recognize as Associate Attorney or Agent \_\_\_\_.
  - d.  Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

R. Danny Huntington  
Burns, Doane, Swecker & Mathis  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

June 7, 1995  
Date

By: R. Danny Huntington  
R. Danny Huntington  
Registration No. 27, 903

Address of  
signator:

Burns, Doane, Swecker & Mathis  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

inventor(s)  
 assignee of complete interest  
 attorney or agent of record  
 filed under 37 C.F.R. § 1.34(a)